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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, Ex Rel THE)
DEPARTMENT OF AGRICULTURE, FOOD)
AND FORESTRY,)
Plaintiffs,)
vs.)
JULIE ANDERSON, JOEL J. REED,)
RHONDA REED, JIM L. PIGEON,)
MICHELLE R. PIGEON, KENNETH)
GLENN, FRANKLIN GLENN, and BILL)
ANDERSON,)
Defendants.)

CASE NO. CJ-2005-8975
CV-2005-569

* * * * *

TRANSCRIPT OF PROCEEDINGS
OF MOTION TO DISMISS AND MOTION TO QUASH
HAD ON THE 20TH DAY OF JANUARY, 2006
BEFORE THE
HONORABLE BARBARA G. SWINTON, DISTRICT JUDGE
WITHIN AND FOR
OKLAHOMA COUNTY, OKLAHOMA CITY, OKLAHOMA

* * * * *

COPY

REPORTED BY:
CYNTHIA R. ADAMS, CSR
OFFICIAL COURT REPORTER

1 tow with it the AG's consultants in the Northern District
2 case, Camp, Dresser, McKee, an environmental consulting
3 firm. When Mrs. Reed called me on the telephone that
4 morning her voice was shaking because a large number of
5 people that showed up at her front gate. So this was not
6 a normal situation. This is an abnormal situation and
7 it's a backdoor attempt by the AG's Office to conduct
8 discovery in a case where Judge Ellison has put it on ice
9 for the moment. Those are my remarks.

10 Thank you, Your Honor, for letting me speak.

11 THE COURT: Thank you. Your response.

12 MS. PHILLIPS: Your Honor, the lengthy comments
13 made here today just strengthen what I said earlier. They
14 are bringing up issues that properly belong before Judge
15 Haney. The sampling protocol, the sampling itself, the
16 problem with LT. These were considered. These were
17 before Judge Haney. And if they are arguing that Judge
18 Haney was not properly informed before he issued the
19 warrant, then that belongs before him.

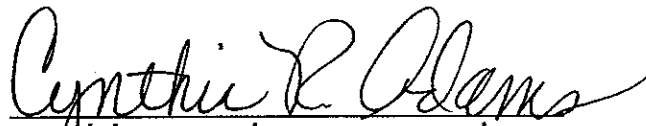
20 In addition, the Department is -- does have the
21 authority to enter and take samples. That is the reason
22 for their obtaining these warrants. They have the right
23 to determine whether there was a violation. Counsel
24 himself pointed that out. He skipped over quickly the
25 little or to determine whether there is a violation. The

1 COUNTY OF OKLAHOMA)
2 STATE OF OKLAHOMA) ss

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8 CERTIFICATE OF COURT REPORTER

9
10 I, Cynthia R. Adams, Certified Shorthand
11 Reporter within and for the State of Oklahoma, do hereby
12 certify that I took down in machine shorthand the entire
13 proceedings held in the aforesaid cause; and that the
14 foregoing 36 typewritten pages constitute a true, correct
15 and complete transcript of my said shorthand notes of the
16 testimony taken in said cause.

17 Dated this 24th day of January, 2006.

18 
19 Cynthia R. Adams, CSR and
20 Official Court Reporter in
21 and for the State of Oklahoma
22 Certificate No. 0101
23
24
25